

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the above amendments and in light of the following remarks and discussion, is respectfully requested.

Claims 1-15 are pending in this application. By this amendment, the specification is amended; Claims 1-2, and 11-15 are amended; no claims are canceled or added herewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1-14 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1, 8-9, 13 and 15 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,409,886 to Matsumoto in view of DE10200583; and Claims 2-7, 10-12 and 14 were indicated as including allowable subject matter.

With respect to the rejection of the claims under 35 U.S.C. § 112, second paragraph, the claims are amended by the present amendment. Accordingly, withdrawal of the rejection of Claims 1-14 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

With respect to the objection to the drawings, Applicants respectfully submit that Fig. 2 clearly shows the at least one chimney tray. Withdrawal of the objection to the drawings is therefore respectfully requested.

The specification is amended to correct typographical errors. That is, the description of DE10220494 and DE10200583 were mixed in the description in the specification. For a further review of the teachings of the above discussed references, the Examiner is informed that DE10220494 is related to U.S. Application No. 10/510,236 and DE10200583 is related to U.S. Application No. 10/500,009.

In view of the discussion above, DE10220494, the teachings of which were used in the 35 U.S.C. § 103(a) rejection of the current Office Action, does not constitute prior art. DE10220494 was filed in DE on May 7, 2002 and in the United States on May 2, 2003. However, the present application was filed in the United States on September 10, 2003 and

claims priority to DE10300499.8 filed January 8, 2003. Thus, DE10220494 does not constitute prior art, and withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) is respectfully requested.

The present invention is directed to providing an improved process for rectificatively separating fluids comprising (meth)acrylic monomers in a rectification column. To this end, the independent claims recite in part, that the process for separating the fluids includes cooling vapor in the condensation space in at least two spray zones, which are spatially successive, by spraying in each spray zone, supercooled top condensate comprising added polymerization inhibitor, with the temperature of the sprayed supercooled top condensate becoming lower from spray zone to spray zone in the flow direction of the vapor.

None of the applied art teaches or suggests all the features discussed above. Thus, for at least the above reasons, Applicant respectfully requests that the rejection of Claims 1, 8-9, 13 and 15 under 35 U.S.C. §103(a) be withdrawn.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application believed to be in condition for formal allowance. A notice of allowance for Claims 1-15 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

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